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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,653	12/30/2003	Weisheke Chin	06975-518001 / 03-0344	1573
26171	7590	12/16/2005	EXAMINER	
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			COBY, FRANTZ	
			ART UNIT	PAPER NUMBER
			2161	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/747,653

Applicant(s)

CHIN, WEISHEKE

Examiner

Frantz Coby

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12-30-05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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This is in response to application filed on December 30, 2003 in which claims 1-15 are presented for examination.

Status of Claims

Claims 1-15 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Osborn U.S. Patent no. 6,026,391.

As per claim 1, Osborn et al. disclose the claimed limitations of “a computer implemented method of searching for particular data” and “receiving a query from a user for particular online content” by providing a computer environment where a new query can be inputted by a user for the purpose of searching for particular data (See Osborn et al. Col. 2, line 9). In particular, Osborn et al. disclose the claimed limitations of “searching for particular online content data at least within data content locations that have been previously accessed by the user” (See Osborn et al. Col. 2, lines 10-49). Also, Osborn et al.

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discloses the claimed feature of "presenting to the user search results, satisfying the results (See Osborn et al. Figure 4; column 7, lines 7-58). Last, the method and system of Osborn et al. provides a methodology for distinguishing search results corresponding to data content locations that have been accessed previously by the user from search results corresponding to data content location that have not been accessed previously by the user since each user workstation, in Osborn et al., can have loaded the recorded query history information; thus, a determination can apparently made between query search results corresponding to data content locations that have been accessed previously by the user from search results corresponding to data content location that have not been accessed previously by the user.

As per claims 2-15, most of the limitations of these claims have been noted in the rejection of claim 1. Therefore, claims 2-15 are at least rejected for their dependencies on the rejected claim 1. Applicant's attention is directed to the rejection of claim 1 above.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Rubert et al. U.S. Patent no. 6,366,915.

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As per claim 1, Rubert et al. disclose the claimed limitations of "a computer implemented method of searching for particular data" and "receiving a query from a user for particular online content" by providing a computer environment where a new query can be inputted by a user for the purpose of searching for particular data (See Rubert et al. Abstract; Title). In particular, Rubert et al. disclose the claimed limitations of "searching for particular online content data at least within data content locations that have been previously accessed by the user" (See Rubert et al. Col. 2, line 55 - Col. 3, line 18). Also, Rubert et al. discloses the claimed feature of "presenting to the user search results, satisfying the search results (See Rubert et al. Figure 3, component 369). Last, the method and system of Rubert et al. provides a methodology for distinguishing search results corresponding to data content locations that have been accessed previously by the user from search results corresponding to data content location that have not been accessed previously by the user (See Rubert et al. Col. 9, line 1 to Col. 18, line 7).

As per claims 2-15, most of the limitations of these claims have been noted in the rejection of claim 1. Therefore, claims 2-15 are at least rejected for their dependencies on the rejected claim 1. Applicant's attention is directed to the rejection of claim 1 above.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 10, 2005


FRANTZ COBY
PRIMARY EXAMINER